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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/662,618

09/15/2003

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08/13/2009

EXAMINER

PANDYA, SUNIT

ART UNIT

PAPER NUMBER

3714

NOTIFICATION DATE

DELIVERY MODE

08/13/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

chicago.patents@klgates.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/662,618	<b>Applicant(s)</b> CHAMBERLAIN ET AL.	
	<b>Examiner</b> SUNIT PANDYA	<b>Art Unit</b> 3714	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 and 17-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/4/09 has been entered.

### ***Response to Amendment***

This action is in response to amendments filed 6/4/09, wherein the examiner acknowledges that claims 1, 5, 6, 14, 17, and 26 have been amended, no claims have been added or canceled; consequently, claims 1-15, 17-22, and 24-29 are currently pending.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14, 15 and 26-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Lucero (US Patent 6,019,283).

Claims 14 & 26: Lucero discloses a gaming device confined within a housing (figure 1), configured to operate to request and receive fund electronically, wherein the gaming machine comprises a game processor configured to operate to receive fund transfer request from a player, wherein there is no direct communication between a fund controller processor and the game processor (figure 4, col. 4: 44-53, col. 5: 23-34). Lucero also discloses of sending the request to a remote fund repository that generates a response to the request (col. 4: 17-53). Lucero also discloses a second processor to a printer that prints ticket of the amount request and approved (col. 4: 37-43), and wherein the second processor is configured to operate without direct communication between the processors (col. 8-9: 65-6, wherein Lucero discloses that the first processor is different from the second processor, and the first processor performing the game related processes and the second processor performing the fund transfer related processes).

Claim 15: Lucero discloses the fund transfer request which includes a PIN number (col. 5: 42-47).

Claim 27: Lucero discloses that the payment device is a credit meter (col. 7: 23-43).

Claim 28: Lucero discloses the banking network being a wide area network (col. 5: 60-66, figure 2, element 30).

Claim 29: Lucero discloses that the network is a local area network (col. 7: 43-51, wherein Lucero discloses a casino only network).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13, 17-22, and 24-25 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Lucero (US Patent 6,019,283), in view of Nguyen et al. (US Patent 6,585,598).

Claims 1 & 17: Lucero discloses a gaming device configured to operate to request and receive fund electronically, wherein the gaming machine comprising a game processor configured to operate to receive a wager from a player to initiate game (figures 2 & 3, and col. 3: 58-65), Lucero also discloses a card reader which is configured to operate with the controller, which is operable to process electronic fund request by the player (col. 4: 44-53 & col. 5: 3-13). Lucero also discloses a payment device configured to operate to provide a monetary amount to a player upon inserting a card, and receiving an approval from the electronic fund transfer request from a remote fund repository that communicates with the EFT controller via a banking network (col. 4: 20-54), all of the said devices are withheld in a housing (figure 1, element 10). Lucero fails to disclose receiving an approval for the electronic fund transfer request from a

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remote fund repository that communicates with the EFT controller via a banking network and without said approval being communicated from the EFT controller to the game processor.

In an analogous art, Nguyen et al. teaches a cashless gaming system wherein a player using a wireless device to requests fund and receives a response from remote fund repository, without approval being communicated from the EFT controller to the game processor (col. 5: 24-40, wherein the remote fund repository wires the requested amount directly to a game machine and prints a receipt acknowledging the transfer). It would have been obvious for one with ordinary skill in the art, to modify Lucero to provide a direct communication between the ticket validation network and the remote fund repository as taught by Nguyen et al. to transfer funds directly to a game machine being used by a player, without having to obtain and communicate the approval from the EFT controller to the game processor, thus providing more efficient use of computing resources (col. 1: 23-39).

Claim 2: Combination of Lucero and Nguyen et al. teaches that the card is a credit card or a debt card (Lucero col. 3: 58-65).

Claim 3: Combination of Lucero and Nguyen et al. teaches that the amount is gaming device credits (Lucero col. 4: 35-43).

Claim 4: Combination of Lucero and Nguyen et al. teaches that the payment device is a credit meter (Lucero col. 7: 23-43).

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Claim 5: Combination of Lucero and Nguyen et al. teach a gaming device which includes a display configured to operate with the electronic fund controller to display the transfer request on the display device (Lucero col. 4: 44-65).

Claim 6: Combination of Lucero and Nguyen et al. teaches a display device for displaying both the credit information and the game play, (disclosed by Lucero figure 1).

Claim 7: Combination of Lucero and Nguyen et al. teaches an input device operable with the fund transfer controller that enables the user to input fund transfer information (Lucero col. 4: 20-43).

Claim 8: Combination of Lucero and Nguyen et al. teaches that the banking or the monetary repository network is a wide area network (Lucero col. 5: 61-67 & col. 6: 59-66).

Claims 9 & 18: Combination of Lucero and Nguyen et al. teaches that the banking network being an internet (Lucero col. 5: 60-66, figure 2, element 30).

Claim 10: Combination of Lucero and Nguyen et al. teaches a local area network that interfaces with the banking network and the local gaming machines (Lucero figure 6, col. 7: 42-66).

Claim 11: Combination of Lucero and Nguyen et al. teaches that the local casino network supports casino player fund transfer (col. 5: 3-67, wherein fund transfer could be transfer of fund from the financial institute and back to the financial institute).

Claim 12: Combination of Lucero and Nguyen et al. teaches a ticket validation system that keeps track of monetary amount provided to the players (Lucero col. 5: 3-34).

Claim 13: Combination of Lucero and Nguyen et al. teaches an IC that interfaces between the game processor and the local casino network (Lucero col. 5: 48-67 & cols. 7-8: 43-3).

Claim 19: Combination of Lucero and Nguyen et al. teaches, allowing plurality of different financial institutes to be accessed through the gaming machine (Lucero col. 3: 58-65).

Claim 20: Combination of Lucero and Nguyen et al. teaches a casino network wherein plurality of game machines are linked together (Lucero col. 7: 43-50).

Claim 21: Combination of Lucero and Nguyen et al. teaches gaming machine having possibility of slot, poker and other similar types of games (Lucero col. 3: 38-41).

Claim 22: Combination of Lucero and Nguyen et al. teach that the network is a local area network (Lucero col. 7: 43-51).

Claim 24: Combination of Lucero and Nguyen et al. teaches a printer that prints ticket of the amount request and approved (Lucero col. 37-43, thus having monetary value on the ticket).

Claim 25: Combination of Lucero and Nguyen et al. teach that the printer located on the gaming machine (Lucero incorporates Pellegrini's Patent 4,575,622, within his own patent in column 4: 1-2, and Pellegrini discloses of a printer located on the gaming machine).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-15, 17-22, and 24-29 have been considered but are moot in view of the new ground(s) of rejection.

In the rejection above, the examiner has cited particular columns, lines and figure numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUNIT PANDYA whose telephone number is (571)272-2823. The examiner can normally be reached on M-Th 8 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on 571-272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John M Hotaling II/  
Supervisory Patent Examiner, Art Unit 3714

SP